

DOCKET NO: 246457US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KAZUYUKI SEKI : EXAMINER: NEGRON, W. M.
SERIAL NO: 10/733,394 :
FILED: DECEMBER 12, 2003 : GROUP ART UNIT: 2622
FOR: DIGITAL CAMERA APPARATUS :
HAVING A RECOGNIZING FUNCTION

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The "Statement of Reasons For Allowance" included at pages 2-3, of the Notice of Allowance mailed September 10, 2007 is misdescriptive of the claim language stated in Claims 1, 1, 2, 3, 4, 8, and 11..

With respect to Claims 1 and 11, the Notice of Allowance states "Claims 1 and 11 are drawn to a digital camera apparatus having a **first shutter release position for recognizing a printed code on a captured image**, and a **second shutter release position to determine and record the image capture on the basis of said printed code...**" (emphasis in original). However, this language does not appear in Claims 1 or 11.

On the contrary, Claim 1 recites, *inter alia*,

A digital camera apparatus, comprising:

...the image inputting device including a shutter release button having two positions for a first release and a second release...

a recognizing device configured to automatically recognize a printed code included in said processed image and output a result of the recognition of the printed code in response to the first release, and configured to determine the image captured by the image inputting device and record the determined image and the printed code recognized by the first release in response to the second release....

Furthermore, it is noted that Claim 11 is different than Claim 1. Claim 11 recites, *inter alia*,

a controller configured to automatically recognize a printed code included in the processed image and output a result of the recognition of the printed code in response to the first release, and configured to determine the image captured by the image inputting device and record the determined image and the printed code recognized by the first release in response to the second release

With respect to Claim 2, the Notice of Allowance states "Claim 2 is drawn to a digital camera apparatus having **a guide displaying device for displaying a guide for recognizing and matching a printed code on a captured image...**" (emphasis in original). However, this language does not appear in Claim 2.

On the contrary, Claim 2 recites, *inter alia*,

a guide displaying device configured to display a guide for recognizing a printed code;

a recognizing device configured to automatically recognize the printed code included in said processed image by matching the printed code with the guide; [and]

a matching device configured to match the printed code with the guide.

With respect to Claim 3, the Notice of Allowance states "Claim 3 is drawn to a digital camera apparatus having **a code and a resolution setting device for setting a kind of printed code and a resolution for recognizing a printed code on a captured image...**" (emphasis in original). However, this language does not appear in Claim 3.

On the contrary, Claim 3 recites, *inter alia*,

a code setting device configured to set a kind of a
printed code included in the image to be automatically
recognized; [and]
a resolution setting device configured to set a resolution
of said image captured by the image inputting device;

With respect to Claim 4, the Notice of Allowance states "Claim 4 is drawn to a digital camera apparatus having **a guide displaying device for displaying a guide for recognizing and matching a printed code on a captured image and a code setting device for setting a kind of printed code for recognizing a printed code on a capture image...**" (emphasis in original). However, this language does not appear in Claim 4.

On the contrary, Claim 4 recites, *inter alia*,

a code setting device configured to set a kind of said
printed code to be automatically recognized; [and]
a guide displaying device configured to display a guide
for recognizing the printed code in accordance with a content on
the kind of said printed code to be automatically recognized set
by said code setting device;

With respect to Claim 8, the Notice of Allowance states "Claim 8 is drawn to a digital camera apparatus having **an information searching device configured to search information corresponding to a recognized printed code on a captured image, and an information adding device to add said information to the captured image...**" (emphasis in original). However, this language does not appear in Claim 8.

On the contrary, Claim 8 recites, *inter alia*,

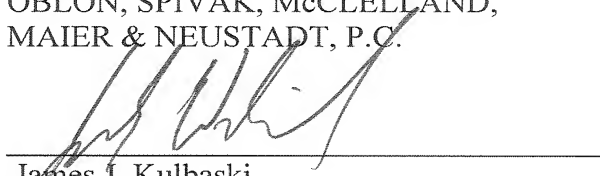
an information searching device configured to define an
information file in which information corresponding to said
printed code is included therein to at least one of an external
recording medium attached to the digital camera apparatus and
an internal memory beforehand, and configured to search said
information corresponding to said printed code when said
printed code is recognized; [and]

an information adding device configured to convert said
printed code to information corresponding to said printed code
and add the information to the image.

Accordingly, a revised statement of reasons for allowance is recommended and
respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Joseph Wrkich
Registration No. 53,796